



## Administrative Action

### Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

**Case File / Name:** S-20-14 / Pinebrook Hills

**General Location:** The site is located on the east side of Pinecrest Road, north of its intersection with Tanglewood Drive.

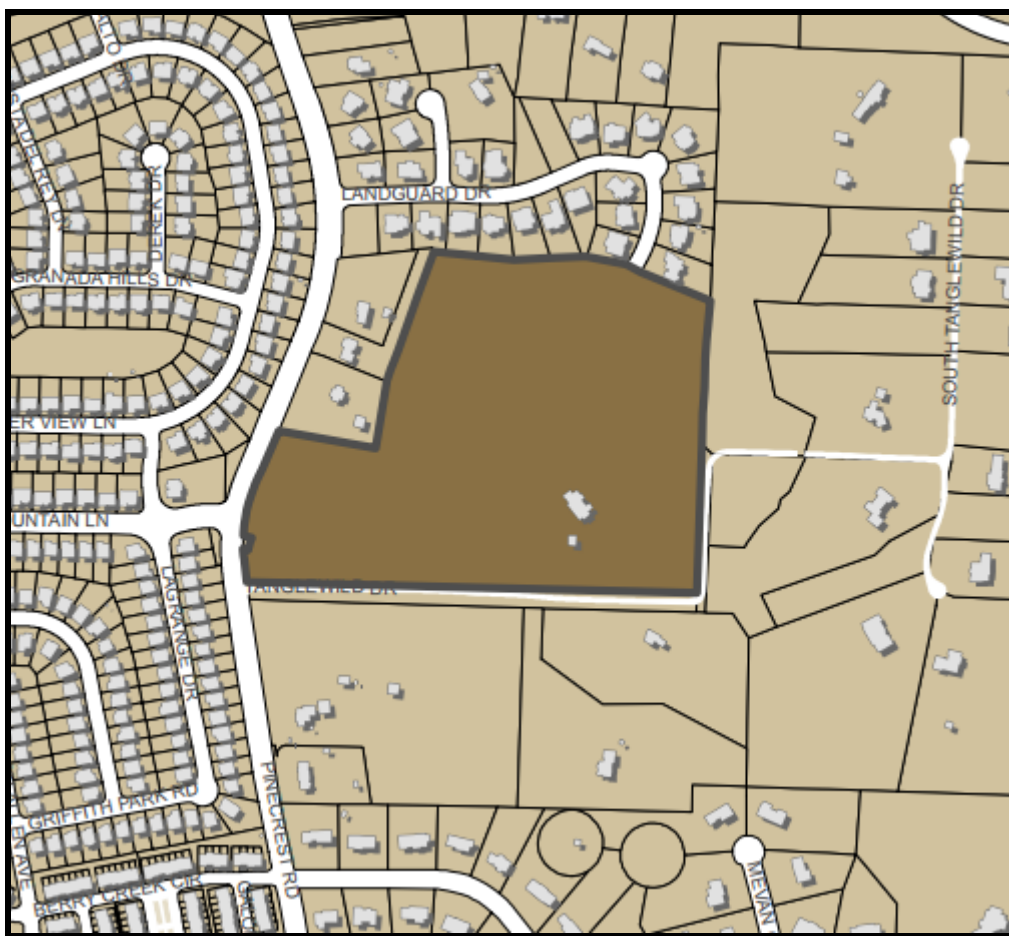
**CAC:** Northwest

**Nature of Case:** Subdivision of 26.4 acres into 57 single-family lots and 4 open space lots, for a total of 61 lots, zoned Residential-4.

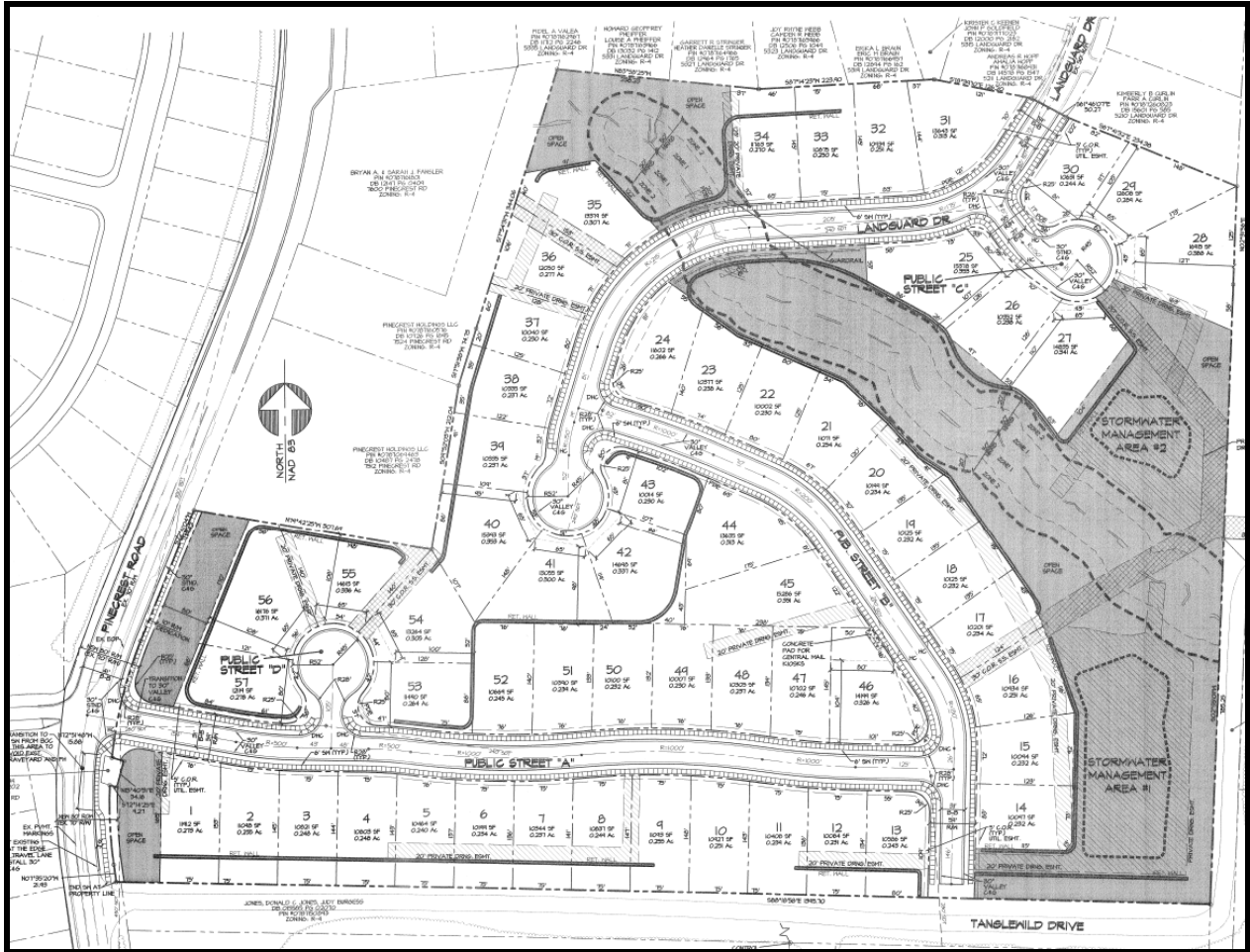
**Contact:** Bradley Bowling, Priest, Craven and Associates.

**Design Adjustment:** NA

**Administrative Alternate:** NA



S-20-14 Location Map



S-20-14 Preliminary Subdivision Plan

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**SUBJECT:** S-20-14

**CROSS-  
REFERENCE:** NA

**LOCATION:** The site is located on the east side of Pinecrest Road, north of the intersection with Tanglewild Drive, partially inside and partially outside the city limits.

**PIN:** 0787165213; 0787165765

**REQUEST:** This request is to approve the subdivision of two tracts totaling 26.4 acres into 57 single-family lots and 4 open space lots, zoned Residential-4.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF  
APPROVAL:**

***Prior to issuance of a mass grading permit for the site:***

- (1) That a 100-year floodplain analysis be submitted and approved by the Public Works Department;
- (2) That as the developer proposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work;
- (3) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;
- (4) That a final tree conservation plan with metes and bounds descriptions must be submitted to the City Forestry Specialist. Except for construction drawings, tree protection fence must be inspected by the Forestry Specialist;

***Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:***

- (5) That conditions 1-4 above are met;
- (6) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;

***Prior to Planning Department authorization to record lots:***

- (7) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (8) That construction plans for the shared stormwater devices and street construction be submitted and approved by the Public Works Department;
- (9) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
- (10) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (11) That the following note be shown on all maps for recording: A minimum finished floor elevation will be required for all lots along the floodplain boundary;
- (12) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association;
- (13) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in their natural or mitigated condition, No person or entity shall fill, grad, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259).";
- (14) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;
- (15) That street names for this development be approved by the Raleigh GIS Division and by Wake County;
- (16) That a fee is paid to the Public Works Department for new street signs in accordance with the Raleigh Street Design Manual;
- (17) That if the proposed public improvements are not installed and inspected by the city to be accepted for maintenance, a surety in the amount of 125% of

the cost of construction for the proposed streets, sidewalk and installation of street trees is to be paid to the Public Works Department in accordance with code section 8.1.3 of the UDO;

- (18) That a demolition permit be issued and this building permit number be shown on all maps for recording;
- (19) That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (20) That the City Attorney approve an off-site sanitary sewer easement deed and map for the City of Raleigh sewer extension from property designated as DB 15663 PG 2538, PIN # 0787262515, located east of the subdivision and that the deed and map are recorded with the County Register of Deeds office. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If a recorded copy of the documents are not provided to the Planning Department within this 14 day period, further recordings and building permit issuance may be withheld;
- (21) That a petition for annexation into the City limits be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;
- (22) That ½ of the required right of way for Pinecrest Road is dedicated to the City of Raleigh and shown on the final plat for recording;
- (23) That a fee-in-lieu of construction for a Neighborhood Local street section including sidewalks and street trees for the approximately 20' of Public Road 'B' as shown on the preliminary plan between the edge of the proposed road and the southern property line of the proposed subdivision, as well as approximately 40 linear feet of curb and gutter on Pinecrest Road be paid to the Public Works Department ;

***Prior to issuance of building permits:***

- (24) That an encroachment agreement for any stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Public Works Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register

of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;

***Prior to issuance of a certificate of occupancy for any lot:***

- (25) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;
- (26) That the road improvements are completed and accepted for maintenance and that a warranty in the amount of 15% of the estimated value of the development related improvements is provided to the Public works department.

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I hereby certify this administrative decision.

**Signed:** (Planning Dir.)

*Kenneth Bowser (S. Bowser)*

Date: 11/4/14

**Staff Coordinator:** Justin Rametta

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance including Chapter 2, Article 2.2, Sections 2.2.1, Chapter 7, Article 7.2. This approval is based on a preliminary plan dated 9/11/2014 owned by George R. and Jean S. Cheely, submitted by Priest, Craven and Associates.

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**ZONING:**

**ZONING DISTRICTS:** Residential-4

**TREE CONSERVATION:** This project is larger than two acres and compliance with UDO Code Article 9.1. Tree Conservation is required. The project provides 2.25 acres of tree conservation area which is 10.3% of gross site acreage. Tree conservation acreage is as follows:

Primary: 0.76 acres  
Secondary: 1.49 acres

**PHASING:** This is a one-phase development.

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**COMPREHENSIVE  
PLAN:**

**GREENWAY:** There is no greenway on this site.

**STREET  
TYPOLOGY MAP:**

Dedication of right-of-way and construction of the following streets are required by the Street Typology Map of the Comprehensive Plan. Proposed streets are classified as Neighborhood Local and Neighborhood Yield. Dedication of right-of-way is required along Pinecrest Road but not Tanglewild Drive, which is an existing private street. Public Street 'B', a new Neighborhood Local street, will be stubbed near the southern property line at Tanglewild Drive. A fee-in-lieu of construction shall be required for the approximately 20' between Public Road 'B' and the southern property line at Tanglewild Drive as well as approximately 40' of curb and gutter on Pinecrest Road. A surety for the required improvements shall be provided in accordance with 8.1 of the UDO.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Pinecrest Road	Avenue two-lane, divided	70'	½- 80'	Variable	Variable-no new construction
Landguard Drive extension	Neighborhood Local	NA	59'	NA	31'
Public Street 'A'	Neighborhood Local	NA	59'	NA	31'
Public Street 'B'	Neighborhood Local	NA	59'	NA	31'
Public Street 'C'	Neighborhood Yield	NA	55'	NA	27'
Public Street 'D'	Neighborhood Yield	NA	55'	NA	27'

**COMPREHENSIVE  
PLAN:**

This site is located in the Northwest Citizens Advisory Council in an area designated for low-density residential development.

**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:**

The minimum lot size in Residential-4 zoning district is 10,000 square feet. The minimum lot depth in this zoning district is 100 feet. The minimum lot width of an interior lot in this zoning district is 65 feet. The minimum lot width for a corner lot is 85 feet. Lots in this development conform to these minimum standards.

- PUBLIC UTILITIES:** City water and sewer services are available. The subdivider is responsible for installation of all lines necessary to provide service to this site.
- SOLID WASTE:** Individual lot service by the City is to be provided.
- BLOCKS / LOTS / ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A fee for street signs is required in accordance with the Raleigh Street Design Manual.
- STREETSCAPE TYPE:** The applicable streetscape is residential. Construction of Neighborhood Local and Neighborhood Yield street sections to serve the interior lots with six foot wide sidewalks and street trees is proposed. Sidewalk and street trees will be installed along the existing Pinecrest Road.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of all new public streets and along Pinecrest Road. Access to the public right of way in addition to internal connection requirements is provided in accordance with 8.3.4 of the UDO.
- FLOOD HAZARD:** There are flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Article 9 Chapter 2 of the Unified Development Ordinance. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are required on this site.
- STREET NAMES:** Four new streets are being proposed with this development. A fee for street signs is required in accordance with the Raleigh Street Design Manual.
- OTHER REGULATIONS:** Developer shall meet all City requirements, including underground utility service, flood protection measures, and the soil erosion ordinance, unless specifically varied by this approval.



**SUNSET DATES:** If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

**3-Year Sunset Date:** 11/4/2017

Record at least ½ of the land area approved.

**5-Year Sunset Date:** 11/4/2019

Record entire subdivision.

**WHAT NEXT?:**

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

**FACILITY FEES  
REIMBURSEMENT:**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.